

## REMARKS

As a preliminary matter, claim 11 stands objected to for informalities. Specifically, the Examiner notes that claim 11 contains a typographical error that erroneously recites a “front side of the frame” instead of the “rear side.” In response, Applicants have amended claim 11 herein to correct for this typographical error. Reconsideration and withdrawal of the objection thereto are respectfully requested in light of this amendment.

Claims 7-8 and 10 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Applicants respectfully traverse this rejection because the claims are not indefinite.

Specifically, the Examiner asserts that the term “capable” renders these three claims indefinite for not specifically indicating the function of the mechanism to which the term relates. The Examiner though, contradicts the Examiner’s own assertion by then clearly articulating exactly how one skilled in the art will understand that the term “indicates a mechanism that can or may change the angle of the panel, but it does not have to change the angle of the panel.” (Page 3 of Paper No. 20040825).

The Examiner’s own interpretation of the term, therefore, clearly demonstrates how the metes and bounds of the scope of the invention are defined with *reasonable* clarity to one skilled in the art. The second paragraph of Section 112 only requires that those skilled in the art would understand what is claimed when the claim is read in light of the Specification. See Orthokinetics, Inc. v. Safety Travel Chairs, Inc., 806 F.2d 1565, 1576, 1

USPQ.2d 1081, 1088 (Fed. Cir. 1986); See also Section 2173.02 of the MPEP. As clearly described in the Specification to the present Application, the recited mechanism may change the angle of the panel, but does not *have to*. In other words, just because a panel is movable, it is unreasonable for the Examiner to also require that the panel must be moving.

Applicants also respectfully point out to the Examiner that claim terms such as “capable of” and “incapable of” have been found to be “perfectly acceptable” for setting definite boundaries on the patent protection sought. In re Barr, 444 F.2d 588, 170 USPQ 33 (CCPA 1971). Accordingly, Applicants submit that the Section 112 rejection of claims 7-8 and 10 is inappropriate, and should be withdrawn.

Claims 6 and 10-12 stand rejected under 35 U.S.C. 102(e) as being anticipated by Matsuoka et al. (U.S. 6,104,451). Applicants respectfully traverse this rejection because the cited reference does not disclose (or suggest) a hinge mechanism attached to a frame for changing an angle of a display surface of a liquid crystal panel, as in claim 6 of the present invention, as amended.

Applicants submit that the Examiner has not established a *prima facie* case of anticipation against the present invention. The Examiner cites the collective top frame 110, middle frame 130, and bottom frame 140 of Matsuoka (see Fig. 4) as analogous to the recited frame in claim 6 of the present invention, and the combination of Matsuoka’s tilt mechanism section 400 and first enclosure 210 as analogous to the recited mechanism in claim 6. Even

if such analogies were correct (which Applicants do not concede), the Examiner still has not properly asserted a *prima facie* case of anticipation against claim 6.

Specifically, even though the Examiner asserts that the “mechanism” 400/210 of Matsuoka is “attached to the frame,” the Examiner further explains that the mechanism is actually only attached to the *second enclosure 220*, which supports the liquid crystal unit 100, but which does not actually constitute part of “the frame.” (See page 4 of Paper No. 20040825). The Examiner has only identified the portions 110/130/140 as constituting the “frame” of Matsuoka, and all three of these frame portions are entirely located within the liquid crystal unit 100. (See Fig. 4).

To establish a proper Section 102 rejection against claim 6 therefore, the Examiner would have to be able to demonstrate that the “mechanism” is attached to one or all of the frame portions 110, 130, 140, or at least the liquid crystal unit 100 that contains all three frame portions. As discussed above, however, the Examiner has not done so. The Examiner has only asserted that the “mechanism” is attached to the second enclosure 220, which is clearly shown by Matsuoka to be entirely separate from the liquid crystal unit 100, and therefore also entirely separate from the three frame portions 110, 130, 140 within the unit 100, and cited by the Examiner as analogous to the frame of claim 6.

Moreover, the Examiner does not even assert that the second enclosure 220 is “attached” to the liquid crystal unit 100, but instead only that the enclosure 220 “supports” the unit. Accordingly, because the Examiner has not actually cited to any specific portion of

the “mechanism” of Matsuoka which actually attaches to the identified “frame” of Matsuoka, the Section 102 rejection based on Matsuoka is deficient on its face, and should be withdrawn.

Additionally, it is an unreasonable interpretation by the Examiner to include the first enclosure 210 as somehow comprising a portion of Matsuoka’s “mechanism.” Matsuoka clearly teaches that the tilt mechanism is entirely comprised of the tilt mechanism section 400. (See col. 8, lines 24-28). Matsuoka further teaches that the tilt mechanism 400 terminates at least at the mount 411, which mount 411 is then actually attached to the first enclosure 210 as a separate element. (See col. 8, lines 33-34; Figs. 2, 7). Matsuoka further teaches that it is the first enclosure 210 which connects to the second enclosure 220, which second enclosure then in turn connects to the liquid crystal unit 100, which unit 100 contains the frame portions 110, 130, 140. (See Figs. 1-2, 4, 7).

In other words, Matsuoka clearly teaches that there are at least two entirely separate intervening structures (enclosures 210, 220) preventing the tilt mechanism 400 from actually attaching to the cited frame 110/130/140. Therefore, even giving the structural portions of Matsuoka cited by the Examiner their broadest reasonable interpretation, no portions of the “frame” or “mechanism” identified by the Examiner are ever shown to attach to one another. Accordingly, for at least these further reasons, the Section 102 rejection against independent claim 6 based on Matsuoka must be withdrawn.

Nevertheless, although Applicants submit that no amendment to claim 6 is necessary to overcome the outstanding rejection, in the interests of expediting prosecution, claim 6 of the present invention has been amended herein to clarify that the recited mechanism is a hinge mechanism, and to clarify several of the additional sub-elements that form the hinge mechanism. Applicants submit that no reasonable interpretation of Matsuoka's "mechanism" could find it analogous to these clarified features of the hinge mechanism of claim 6. Accordingly, for either the reasons discussed above, or these additional amendments to claim 6, Applicants submit that the Section 102 rejection should be withdrawn.

Claims 10-12 all depend either directly or indirectly from independent claim 6 of the present invention, and therefore contain all of the features of the base claim, plus additional features. Accordingly, Applicants respectfully traverse the rejection of dependent claims 10-12 for at least the reasons discussed above in traversing the rejection of independent claim 6.

Claims 7 and 9 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuoka, and further in view of Kanbe (JP 7-56516). Applicants respectfully traverse this rejection for at least the reasons discussed above. Claims 7 and 9 depend directly and indirectly from independent claim 6 respectively.

Claim 8 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuoka, and further in view of Shioya et al. (U.S. 6,216,989). Applicants respectfully

traverse this rejection also for at least the reasons discussed above. Claim 8 depends from independent claim 6.

New claim 13 has been added to recite another combination of features of the present invention. Applicants submit that no new matter has been added by the addition of new claim 13. Fig. 15 of the present invention, for example, alone provides sufficient support for all of the newly recited features. Entry, consideration on the merits, and allowance of new claim 13 are respectfully requested.

For all of the foregoing reasons, Applicants submit that this Application, including claim 6-13, is in condition for allowance, which is respectfully requested. The Examiner is invited to contact the undersigned attorney if an interview would expedite prosecution.

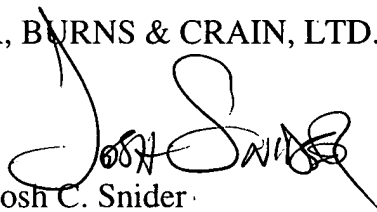
Respectfully submitted,

**Customer No. 24978**

GREER, BURNS & CRAIN, LTD.

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By

  
Josh C. Snider  
Registration No. 47,954

300 South Wacker Drive  
Suite 2500  
Chicago, Illinois 60606  
Telephone: (312) 360-0080  
Facsimile: (312) 360-9315  
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